



3761.

Atty. Docket No.: KEIL/149/PC/US

In re patent of: Bernhard EISTERT

Application No.: 10/019,714

Examiner: J. F. WEISS, JR.

Filing Date: 12/28/2001

Group Art Unit: 3761

For: TRACHEAL CANNULA

TRANSMITTAL LETTER

Enclosed herewith is (are):

- Response to Office Action
- Return Post Card Indicating Enclosures

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It is hereby petitioned that any required extension of time be granted for filing the enclosed papers. An extension of -0- months having a fee of \$ -0- appears required.

The Commissioner is hereby requested and authorized to charge Deposit Account 16-2563 of Alix, Yale & Ristas, LLP for any required extension fee and for any other fee, not enclosed herewith, due for any reason during the pendency of this application or in connection with the accompanying document, including (a) any filing fees under 37 CFR 1.16 for the presentation of extra claims and (b) any patent application processing fees under 37 CFR 1.17.

Date: July 3, 2003
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The above signatory certifies that this correspondence is being deposited on July 3, 2003 with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450".



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Attorney Docket Number: KEIL/149/PC/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Bernhard EISTERT

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RESPONSE TO OFFICE ACTION

In response to the Office Action dated April 4, 2003, Applicant respectfully requests entry of the following Amendment and consideration of the following Remarks.

AMENDMENT

Claims 1 through 20 have been amended. A clean version of the amended portions is attached as a separate page to this Response.

In the Claims

Please amend claims 1-20, as indicated below.

Sub D1 1. (Amended) A tracheal cannula for insertion following a tracheotomy into [the] a trachea having a cross sectional area [following a tracheotomy], said cannula having a shaft and a cuff for blocking the tracheal cross-sectional area surrounding the shaft wherein a shaft section extends above the cuff, characterized [such that] in that the section of the shaft lying above the cuff has a window covered by an air-permeable membrane [is constructed such that this is covered by an air-permeable membrane].